

**REMARKS**

This Response responds to the Office Action dated November 20, 2008, in which the Examiner rejected claims 1-19 under 35 U.S.C. § 103.

Claims 1 and 5 claim an image pick-up device comprising a pick-up means/portion, a frame-addition processing means/portion, a frame rate conversion means/portion and a signal generation means/portion. The pick-up means/portion picks up an image signal with a varied frame rate. The frame-addition processing means/portion generates a first image signal, from the variable frame-rate picked-up image signal, with a selected/desired output frame rate. The frame rate conversion means/portion converts a frame rate of a second image signal supplied from an external device to the output frame rate of the first image signal. The signal generation means/portion generates a monitor image signal by using the first image signal and the second image signal.

By (a) generating a first image signal from a variable frame-rate image signal, with a selected output frame rate, (b) converting the frame rate of a second image signal supplied from an external device to the output frame rate of the first image signal and (c) generating a monitor image signal by using the first and second image signals, as claimed in claims 1 and 5, the claimed invention provides an image pick-up device which can accept an external input video signal whose frame rate is different from the output frame rate of the pick-up device. The prior art does not show, teach or suggest the invention as claimed in claims 1 and 5.

Claims 1-19 were rejected under 35 U.S.C. § 103 as being unpatentable over *Asada, et al.* (U.S. Publication No. 2002/0021364) in view of *Tonomura* (JP 11-177930) and further in view of *Weisgerber* (U.S. Patent No. 5,739,894).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Asada, et al.* appears to disclose in Figure 8 a charge coupled device (CCD) 1 operable for a progressive scanning, a CCD driver 2, a drive pulse switching circuit 3 for selecting and issuing a CCD drive pulse corresponding to a multi-frame rate, a frame memory 40, a camera signal processing circuit 5 for performing a camera process, a view finder (VF) 6 operable in a progressive scanning, a VCR unit 24 for recording and reproducing a multi-frame rate signal and a reproduced signal convertor 25 for converting the frame rate of a reproduced signal [0055].

Thus, *Asada, et al.* merely discloses a CCD 1, a driver 2, a drive pulse switching circuit 3 and view finder 6. Nothing in *Asada, et al.* shows, teaches or suggests (a) a frame-addition processing means/portion for generating a first image signal from a variable frame-rate picked-up image signal with a selected output frame rate, (b) a frame-rate conversion means/portion converting a frame rate of a second image signal supplied from an external device to the output frame rate of the first image signal and (c) a signal generating means/portion for generating a monitor image signal by using the first and second image signals as claimed in claims 1 and 5. Rather, *Asada, et al.* only discloses a charge couple device 1, driver 2, drive pulse switching circuit 3 and view finder 6.

*Tonomura* appears to disclose variably reading out the picture signal from an image sensor [0009]. The picture signal generated by the photoelectric conversion in the CCD imager 1 is sent to a processor 2 for predetermined video-signal processing. The predetermined video-

signal processing is performed by the usual video camera and since it is common knowledge, the explanation is omitted [0013]. By controlling the timing of the speed of the CCD imager 1, a variable frame range (3X or less) is realized [0018].

Thus, *Tonomura*, merely discloses an image pickup device CCD imager 1 driven at different timings to generate a varied frame-rate image signal. Nothing in *Tonomura* shows, teaches or suggests (a) using the varied frame-rate picked-up image signal to generate a first image signal with a selected output frame rate (*i.e.* a frame-addition processing means/portion), (b) converting a frame rate of a second image signal supplied from an external device to the output frame rate of the first image signal (*i.e.* a frame rate conversion means/portion) and (c) generating a monitor image signal by using the first and second image signals (*i.e.* a signal generation means/portion) as claimed in claims 1 and 5. Rather, paragraphs [0013-0014] and [0018-0019] of *Tonomura* merely disclose how to generate a varied frame-rate image signal and thus is only analogous to the image signal pick-up means/portion claimed in claim 1.

Furthermore, *Tonomura* is merely directed how to reproduce a stored image signal which is stored at one frame rate while reproducing the image signal at a second, different frame rate. Nothing in *Tonomura* shows, teaches or suggests (a) generating a first image signal from the varied frame-rate picked-up image signal, (b) converting a frame rate of a second image signal supplied from an external device to the output frame rate of the first image signal and (c) generating a monitor image signal using the first and second image signals as claimed in claims 1 and 5. Rather, *Tonomura* is merely directed how to reproduce a stored image signal, having a first frame rate, at a second frame rate.

*Weisgerber* appears to disclose presentation of motion pictures with audience impact by compositing separate image components onto a strip of film with some components having a “cinematic” look and other components having a highly realistic look. This is done by using two different frame rates to photograph the scenes or image components and projecting the film in question at the higher of the frame rates (column 3, lines 10-17). Certain image components are photographed or printed at a frame rate of 30 frames per second or less. By contrast, other image components are photographed or printed at a frame rate in excess of 30 frames per second. These two sequences photographed at different rates are composited or cut together onto a single strip of film to produce an image that appears highly realistic in part and “cinematic” in the other (column 4, lines 48-67).

Thus, *Weisgerber* is merely directed to cutting together two photographed sequences onto a single strip of film. Nothing in *Weisgerber* shows, teaches or suggests an image pick-up device comprising an image signal pick-up means/portion, frame-addition processing means/portion, frame rate conversion means/portion and signal generating means/portion as claimed in claims 1 and 5. Rather, *Weisgerber* is merely directed to a method of combining two sequences photographed at different rates onto a single strip of film.

Furthermore, Figure 4 of *Weisgerber* merely discloses recording film images onto separate film strips at two different frame rates, compositing these image components onto another film strip and this film strip is then projected at the higher of the two frame rates (column 4, lines 35-43).

Thus, *Weisgerber* only discloses a method of compositing separate film strips onto another film strip. Nothing in *Weisgerber* shows, teaches or suggests (a) generating a first image

signal with a selected output frame rate from a variable frame-rate picked-up image signal, (b) converting a frame rate of a second image signal supplied from an external device to the output frame rate of the first image signal and (c) generating a monitor image signal using the first and second image signals as claimed in claims 1 and 5. Rather, *Weisgerber* only discloses a projector which projects a film strip of composited film strips.

A combination of *Asada, et al.*, *Tonomura* and *Weisgerber* would merely suggest that CCD 1 of *Asada, et al.* be controlled to be a variably driven as taught by *Tonomura* and to use the CCD that is variably driven to pickup the images of different frame rates as taught by *Weisgerber* and then to composite them onto a single film as taught by *Weisgerber*. Thus, nothing in the combination of the references shows, teaches or suggests (a) frame-addition processing means/portion generating a first image signal with a selected output frame rate from a variable frame-rate picked-up image signal, (b) frame rate conversion means/portion converting a frame rate of a second image signal supplied from an external device to the output frame rate of the first image signal and (c) signal generating means generating a monitor image signal by using the first and second image signals as claimed in claims 1 and 5. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 1 and 5 under 35 U.S.C. § 103.

Claims 2-4 and 6-19 recite additional features. Applicants respectfully submit that claims 2-4 and 6-19 would not have been obvious within the meaning of 35 U.S.C. § 103 over *Asada, et al.*, *Tonomura* and *Weisgerber* at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 2-4 and 6-19 under 35 U.S.C. § 103.

Thus it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

**CONCLUSION**

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

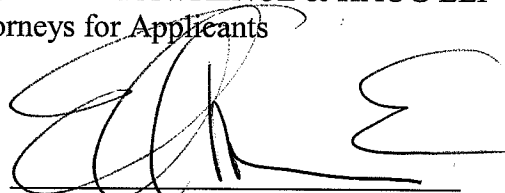
In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

Date: February 11, 2009

By:



Ellen Marcie Emas  
Reg. No. 32,131  
Tel. (212) 588-0800